

Notice of Allowability

Application No.

10/055,634

Examiner

Ram N Kackar

Applicant(s)

YUDOVSKY ET AL.

Art Unit

1763

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/10/2003.
2. ☒ The allowed claim(s) is/are 8-21, 24-28, 31 and 33-42.
3. ☒ The drawings filed on 22 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(e)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____. |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

DETAILED ACTION
EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Amend claim 24 as follows:

24. A support assembly for supporting a workpiece comprising:
a ceramic body having a first side and a second side adapted to support the workpiece;
a passage formed through the ceramic body having both a first end and a second end in fluid communication with the second side of the ceramic body;
a heating element disposed in the ceramic body;
a plate coupled to the ceramic body;
a channel defined between the first side of the ceramic body and a first side of the plate, the channel in fluid communication with the second end of the passage; and
at least one lift pin guide disposed through the body and plate, the lift pin guide having a tab extending radially therefrom and engaging a bottom of the plate, the plate retained by the tab to the body.

Amend claim 25 as follows:

25. A support assembly for supporting a workpiece comprising:
a ceramic body having a first side and a second side adapted to support the workpiece;
a stem;

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a plate circumscribing the stem and disposed adjacent to the first side of the ceramic body, the stem passing through the plate and coupled to the first side of the ceramic body;

a retaining means for releasably retaining the plate to the ceramic body; and
a channel defined between the first side of the ceramic body and a first side of the plate.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Keith Taboada on 11/10/2003.

Allowable Subject Matter

2. Claims 8-21, 24-28, 31 and 33-42 are allowed.
3. The following is an examiner's statement of reasons for allowance:

Claim 24 is allowable for its limitation of "at least one lift pin guide disposed through the body and plate, the lift pin guide having a tab extending radially therefrom and engaging a bottom of the plate, the plate retained by the tab to the body" in the context of other limitations of the claim.

Claim 25 is allowable for its limitation of "a plate circumscribing the stem and disposed adjacent to the first side of the ceramic body, the stem passing through the plate and coupled to the first side of the ceramic body" in the context of other limitations of the claim.

Claim 8 was previously indicated allowable as a dependent claim.

Above limitations are not fairly disclosed or suggested in the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

TERMINAL DISCLAIMER

4. The terminal disclaimer filed on 11/3/2003 disclaiming the terminal portion of the patent being reexamined, which would extend beyond the expiration date of Patent No. 6494955 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ram N Kackar whose telephone number is 703 305 3996. The examiner can normally be reached on M-F 8:00 A.M to 5:P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Mills can be reached on 703 308 1633. The fax phone number for the organization where this application or proceeding is assigned is 703 872 9310.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 0661.

RK

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COMMUNICATIONS SECTION
TECHNOLOGY CENTER
JAN 14 2004